

**MARICOPA COUNTY FLOOD CONTROL DISTRICT BOARD OF DIRECTORS MINUTE BOOK**

**FORMAL SESSION  
December 6, 2006**

The Board of Directors of the Flood Control District of Maricopa County, Arizona, convened in Formal Session at 9:00 a.m., December 6, 2006, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Fulton Brock, Vice Chairman, District 1; Andrew Kunasek, District 3, Max W. Wilson, District 4. Absent: Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Minutes Coordinator; David Smith, County Manager; Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-nay-absent-abstain

**MINUTES**

Motion was made by Director Brock, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve the minutes of the meeting held on February 27, 2006 and September 11, 2006.

**PERSONNEL AGENDA**

Motion was made by Director Brock, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve the Flood Control District Personnel Agenda (Exhibit C). Exhibit C will be found at the end of this set of minutes.

**EASEMENTS AND RIGHT-OF-WAY ACQUISITION DOCUMENTS**

Motion was made by Director Brock, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve easements and right-of-way acquisition documents, appraisal and relocation assistance services contracts under \$5,000 per Resolution FCD 87-12; Escrow Instructions per Resolution FCD 87-13; Payment of Tax Notices per Resolution FCD 97-07; License Procedures and Fee Schedules per Resolution FCD2002R002; and disposal of easements, excess real property and fixtures under \$250,000 documents per FCD 1999R016 for Flood Control purposes. (ADM1910)

**Property Management - ACDC (Per Resolution FCD 1999R016)**

Item T-304, Communication Line Easement from the Flood Control District of Maricopa County to Verosity for the sum of \$1,040.00.

**Wickenburg Downtown Flooding Hazard Mitigation (Per Resolution FCD 2005R008)**

Item FA027.005, Permanent Channel Easement and Agreement for Flood Control Purposes from GURU NANAK Investments, LLC, an Arizona limited liability company to the Flood Control District of Maricopa County for the sum of \$47,500.00.

Item FA027.005-1, Temporary construction Easement and Agreement for Flood Control Purposes from GURU NANAK Investments, LLC, an Arizona limited liability company to the Flood Control District of Maricopa County for the sum of \$500.00.

Item FA027.005, Purchase Agreement and Escrow Instructions.

Item FA027.009, 012, 017; Permanent Channel Easement and Agreement for Flood Control Purposes from P & J Investors Inc., an Arizona corporation to the Flood Control District of Maricopa County for the sum of \$650,000.00.

Item FA027.009, Purchase Agreement and Escrow Instructions.

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**BUCKEYE AREA DRAINAGE MASTER PLAN (ADMP)**

Motion was made by Director Brock, seconded by Director Kunasek, and unanimously carried (4-0-1) to award Contract FCD 2004C058 to Dibble & Associates, Consulting Engineers, to provide engineering services for surveying, development of hydrology, hydraulics, floodplain delineations, environmental consideration, visual and multi-use analysis, alternative analysis and to develop a final drainage plan for the Buckeye Area Drainage Master Plan (ADMP). The total contract amount shall not exceed \$1,208,112.17, which includes \$220,526.35 in optional tasks for additional technical analysis, meetings, and surveying. (C6907029500)

**DATA COLLECTION ON LOCAL WATERSHEDS**

Motion was made by Director Brock, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve Intergovernmental Agreement (IGA) FCD2006A013 between the Flood Control District of Maricopa County and the United States Geological Survey (USGS) covering the period October 1, 2006 to September 30, 2007, to continue collecting data on local watersheds. This has been an ongoing joint agreement for more than 20 years. The total cost of the IGA is \$259,700, and is a reduction from the amount authorized last year because a project was completed in FY 2005-06. The basic annual program does include a three percent cost increase from IGA FCD 2005A013. The district costs under this agreement will be \$129,850, with the USGS contributing the remaining \$129,850. Payments are to be made quarterly. The Board approved IGA FCD 2005A013 on December 7, 2005, (C6906049200). This agreement is a continuation of the professional relationship and cooperative activity between the District and USGS. The USGS will be responsible for completion of all work items under this IGA. The purpose is to develop and evaluate long term flood histories on watercourses in Maricopa County, and to provide information critical to the determination of the risk of flooding in these watercourses. The USGS is the recognized authority for water resource data collection and analysis which provides unbiased hydrologic data necessary for the district and the engineering community to design flood control and drainage structures. The information generated by the USGS's ongoing work is vital to the safety of county residents, and to the continuing hydrologic studies performed by the district. The collection of this data for development of statistically significant analyses of the 100-year flood would require at least 40 years of data at each site. Most of the cooperative sites have records of 15 to 30 years. The use of the streamflow information for public safety would be required indefinitely. (C6907030200)

**RAVEN ROCK CONSTRUCTION SETTLEMENT**

Motion was made by Director Brock, seconded by Director Kunasek, and unanimously carried (4-0-1) to approve the amended settlement agreement with the Bankruptcy Trustee in Raven Rock Construction, LLC Chapter 11 Bankruptcy Case #04-03861-RTB and TRP, LLC Chapter 11 Bankruptcy Case #04-05015-RTB, including terms as discussed in Executive Session on December 4, 2006. (Addendum #FCD A-1) (C6907034100) (ADM1900-004)

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**MEETING ADJOURNED**

There being no further business to come before the Board, the meeting was adjourned.

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Don Stapley, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board